

AMENDED IN ASSEMBLY SEPTEMBER 2, 2005

AMENDED IN ASSEMBLY JUNE 28, 2005

AMENDED IN SENATE APRIL 18, 2005

SENATE BILL

No. 247

Introduced by Senator Figueroa

February 15, 2005

An act to amend ~~Section~~ *Sections 18610 and 18621* of, to add *Section 18602.5* to, to repeal Sections 18605, 18606, 18607, 18608, ~~18610~~, 18611, and 18613 of, and to repeal and add Sections 18602, 18603, and 18604 of, the Business and Professions Code, relating to the Boxing Act.

LEGISLATIVE COUNSEL'S DIGEST

SB 247, as amended, Figueroa. The Boxing Act.

Existing law, the Boxing Act, creates the State Athletic Commission and makes it responsible for licensing and regulating boxing, kickboxing, and martial arts matches. Under existing law, the provisions creating the commission become inoperative on July 1, 2006, and are repealed on January 1, 2007.

This bill would abolish the State Athletic Commission and authorize the ~~Director of Consumer Affairs~~ *State Athletic Commissioner* to appoint an advisory committee that would advise the director *and the State Athletic Commissioner* regarding administering the Boxing Act. The bill would also authorize the director to appoint a ~~chief~~ *State Athletic Commissioner* who would be responsible to the director for enforcing the Boxing Act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 18602 of the Business and Professions Code is repealed.

SEC. 2. Section 18602 is added to the Business and Professions Code, to read:

18602. ~~The director~~ *State Athletic Commissioner* shall appoint an advisory committee that shall consist of individuals regulated ~~by the commission under this chapter~~ and members of the public *demonstrating expertise in areas regulated by this chapter* and who are committed to the safety and welfare of the public and of those who compete in the matches regulated under this chapter. The advisory committee shall advise the director ~~and the State Athletic Commissioner concerning the director's~~ administration, licensing, and enforcement ~~functions~~ under this chapter. Notice of each meeting of the committee shall be given in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Part 1 of Division 3 of Title 2 of the Government Code).

SEC. 2.1. *Section 18602.5 is added to the Business and Professions Code, to read:*

18602.5. (a) *The State Athletic Commissioner, in consultation with the director and the advisory committee established pursuant to Section 18602, shall submit to the Governor and the Legislature by July 1, 2006, a strategic plan. The strategic plan shall include, but not be limited to, efforts to resolve prior State Athletic Commission deficiencies in the following areas:*

(1) *Regulation of the profession and what fees should be paid for this regulation.*

(2) *The relationship between the State Athletic Commissioner and tribal governments that hold boxing events and the potential need to revise the fee structure.*

(3) *Costs to train ringside physicians.*

(4) *Steps that need to be taken to ensure sufficient sources of revenue and funding.*

(5) *A need for review and modification of organizational procedures, the licensing process, and the complaint process.*

(6) *Outdated information technology.*

(7) *Unorganized and improper accounting.*

1 (8) *Miscalculations at events, and a lack of technology to*
2 *record proper calculations, and funding issues.*

3 (9) *The health and safety of the participants and the public in*
4 *attendance at events regulated under this chapter.*

5 (b) *The State Athletic Commissioner shall solicit input from*
6 *the public, the State Auditor, the Little Hoover Commission, the*
7 *Center for Public Interest Law, and others as necessary in*
8 *preparing and adopting the strategic plan.*

9 (c) *The State Athletic Commissioner shall report on progress*
10 *in implementing this strategic plan to the director, the Governor,*
11 *and the Legislature by August 1, 2006.*

12 SEC. 3. Section 18603 of the Business and Professions Code
13 is repealed.

14 SEC. 4. Section 18603 is added to the Business and
15 Professions Code, to read:

16 18603. The director may appoint a ~~chief~~ *State Athletic*
17 *Commissioner* at a salary to be fixed and determined by the
18 director, with the approval of the Director of Finance. The duty
19 of enforcing and administering this chapter is vested in the ~~chief~~
20 *State Athletic Commissioner*, and he or she is responsible to the
21 director for discharging those duties. The ~~chief~~ *State Athletic*
22 *Commissioner* shall serve at the pleasure of the director *and shall*
23 *be subject to confirmation by the Senate Committee on Rules.*

24 SEC. 5. Section 18604 of the Business and Professions Code
25 is repealed.

26 SEC. 6. Section 18604 is added to the Business and
27 Professions Code, to read:

28 18604. The director, *in consultation with the State Athletic*
29 *Commissioner and the advisory committee established pursuant*
30 *to Section 18602*, may establish necessary rules and regulations
31 for the administration and enforcement of this chapter and
32 prescribe the form of statements and reports provided for in this
33 chapter. The rules and regulations shall be adopted, amended, or
34 repealed in accordance with the provisions of the Administrative
35 Procedure Act.

36 SEC. 7. Section 18605 of the Business and Professions Code
37 is repealed.

38 SEC. 8. Section 18606 of the Business and Professions Code
39 is repealed.

1 SEC. 9. Section 18607 of the Business and Professions Code
2 is repealed.
3 SEC. 10. Section 18608 of the Business and Professions Code
4 is repealed.
5 ~~SEC. 11. Section 18610 of the Business and Professions Code~~
6 ~~is repealed.~~
7 *SEC. 11. Section 18610 of the Business and Professions Code*
8 *is amended to read:*
9 18610. The ~~commission~~ *State Athletic Commissioner* shall
10 adopt a seal.
11 SEC. 12. Section 18611 of the Business and Professions Code
12 is repealed.
13 SEC. 13. Section 18613 of the Business and Professions Code
14 is repealed.
15 SEC. 14. Section 18621 of the Business and Professions Code
16 is amended to read:
17 18621. “Commission” means the director or his or her
18 designee, and references to the State Athletic Commission in
19 other laws shall also mean the director or his or her designee.